

HOUSE BILL 2518

By Fitzhugh

AN ACT to enact the Trooper Calvin Jenks Act and to amend Tennessee Code Annotated, Title 39 and Title 40.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Trooper Calvin Jenks Act".

SECTION 2. Tennessee Code Annotated, Section 39-11-403, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b)

(1) The facilitation of the commission of a felony is an offense of the class next below the felony facilitated by the person so charged.

(2) Notwithstanding title 40, chapter 35, the facilitation of the commission of first degree murder against a law enforcement officer who was engaged in the performance of official duties, and who the defendant knew or reasonably should have known was a law enforcement officer, shall be punished by a minimum period of imprisonment of twenty-five (25) years. The sentence imposed upon any such person may, if appropriate, exceed twenty-five (25) years, but in no case shall it be less than the minimum period of twenty-five (25) years.

SECTION 3. Tennessee Code Annotated, Section 40-35-501(i)(2), is amended by adding the following language as a new, appropriately designated subdivision:

(_) Facilitation to commit first degree murder as described in § 39-11-403(b)(2);

SECTION 4. This act shall take effect July 1, 2008, the public welfare requiring it.